

Village of Edima

4801 WEST FIFTIETH STREET . EDINA, MINNESOTA 55424

927-8861

RESOLUTION VACATING STORM SEVER EASEMENT IN LOT 10, BLOCK 2, VALLEY VIEW HEIGHTS

WHEREAS, two weeks' published, posted and mailed notice of a Hearing to be held on May 19, 1969, at 7:00 p.m., on the proposed vacation of the storm sewer easement hereinafter described has been given and made and a hearing has been held by the Edina Village Council thereon:

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described storm sewer easement be and is hereby vacated:

The Northeasterly ten (10) feet of Lot 10, Block 2, "Valley View Heights", according to the recorded plat thereof on file in the office of the Register of Titles in and for Hennepin County, Minnesota,

(signed) ARTHUR C. BREDESEN, JR. Mayor

ATTEST:

(signed) FLORENCE B. HALLBERG Village Clerk

STATE OF MINNESOTA )
COUNTY OF HENNEPIN ) SS
VILLAGE OF EDINA )

CERTIFICATE OF VILLAGE CLERK

I, the undersigned duly appointed and acting Village Clerk for the Village of Edina, County of Hennepin, Minnesota, do hereby certify that the attached and foregoing resolution is a full and complete copy of a resolution duly adopted by the Edina Village Council at its Regular Meeting held May 19, 1969, and as recorded in the Minutes of said Regular Meeting, and that the said vacation has not been annulled, rescinded or amended.

WITNESS my hand and seal of said Village this 7th day of June, 1969.

Placence B. Hallberg Village Clerk June 9, 1969

Mr. Thomas S. Erickson Dorsey, Marquart, Windhorst, West & Halliday 2400 1st National Bank Bldg. Minneapolis, Minn. 55402

Dear Tom:

Enclosed is the resolution adopted by the Edina Village Council on May 19, 1969, vacating a storm sewer easement in Lot 10, Block 2, Valley View Heights.

Enclosed also is the new easement which replaces the easement which was vacated.

Will you please see that both of these documents are recorded?

Yours very truly,

Village Clerk

fbh enclosures

#### RESOLUTION VACATING STORM SENSER MARRISME IN LOC 10, DLACE 2, VALLEY VIEW HEIGHTS

UNENTAS, two weeks' published, posted and wailed notice of a Meering to be held on May 10, 1069, at 7:80 p.m., on the proposed vacation of the storm sever essential hexcinoftes described has been given and made and a hearing has been held by the Edina Village Council thereon:

MMI, THEREFORE, HE BE RESOLVED by the Village Council of the Village of Edine, Hennepin Councy, Hinnesota, that the following described storm occur ensemble be and in hereby vacated:

The Harthesterly ten (10) feet of Lot 10, Block 2, "Valley Vice II ighte", according to the recorded plat thereof on file in the office of the Register of Titles in and for Hennepin County, Himmetota.

(nicred) Alarmi C. Dedecial, St.

ATTECT:

(nicard) Worthern h. Hyllberg Villege Glest

COUNTY OF HEREISPHI ) SS VILLAGE OF EDITA )

#### CERTIFICATE OF VILLAGE CLUB.

I, the undersigned duly appointed and acting Village Clesh for the Village of Edina, County of Hammpin, Minnesota, do hereby costify that the attached and foregoing socialism is a full and complete copy of a recolution duly adopted by the Edina Village Council at its Augular Meeting held May 19, 1909, and as recorded in the Minutes of said Regular Meeting, and that the one outdown outdoor accorded.

WEREES my hand and coal of said Villege this 7th day of Jene, 1969.

Villego Clayl:

Filed gune 13,1969 944517 Register og Titles Reg. Val 1452 P. 438577

THIS INSTRUMENT, Made this 22ndday of April, 1969, by and between Donald R. Berg and Shirley A. Berg husband and wife, of the County of Hennepin and State of Minnesota, parties of the first part, and the Village of Edina, a municipal corporation organized under the laws of the State of Minnesota, party of the second part;

WITNESSETH, That the said parties of the first part, in consideration of One and No/100 Dollars (\$1.00), to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do Grant, Bargain, Sell, Convey and Warrant to said party of the second part an Easement in perpetuity for all utility and drainage purposes including, but not being limited to, sanitary sewer, storm sewer, water pipes, including the right to enter for the purpose of constructing, maintaining, altering, repairing and reconstructing said utility and drainage systems in and over the following described property situate in the County of Hennepin and State of Minnesota, to-wit:

The Northeasterly ten (10) feet of Lot 10, Block 2, Valley View Heights, according to the recorded plat thereof on file in the office of the Registrar of Titles in and for Hennepin County, Minnesota.

This instrument is exempt from the State Deed Tax

It is the intention and agreement of the Parties hereto that
the party of the second part shall in the construction, or maintenance
of said utility and drainage systems replace any shrubs or sod removed
by any excavation in connection with such construction or maintenance
work, in as nearly as possible the same condition as before such excavation.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of:		$\bigcap$
James a Muhel	La Company	Muley A. Berg
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STATE OF MINNESOTA )		
COUNTY OF HENNEPIN )		
		ne f
On this 22nd d	ay of	April , A.D. 19 <u>69</u> , before
me, a Nosary Public within	and for said	County, personally appeard
Donald R. Berg	and	Shirley A. Berg ,
husband	and	wife,
to me known to be the perso	ns described	in and who executed the foregoing
instrument, and acknowledge	d that they	executed the same as their free act
and deed.		•
(Notarial Seal)	:	Alrens B. Haicherg
		FLORENCE 8. HALLBERG Notary Public, Hennepin County, Minn. My Commission Expires Dec. 31, 1971

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To Los	correct easement situation in to 10, Block 2, Valley View Heights
X1. VE	he Northwesterly len feet of Lot 10, Block Ly Valley View Heights
2. C 10 10 11 11	Obtain/easement from owner (Don Barg) (Donald R. Berg 5900 Honsen Rs)  ne Northeasterly ten (10) feet of Lot 10, Block 2, Valley View Heights, according the recorded plat thereof on file in the office of the Registrar of Titles in and for Hennepin County, Minnesota,
Note 15	Must be done in above order — 2 to be recorded after Council Resolution recorded

VILLAGE OF EDINA 4801 V. 50TH STREET EDINA, MINIESOTA 55424

#### HOTICE OF PUBLIC HEARING ON EASEMENT VACATION

EDINA VILLAGE COUNTIL will muct Monday, May 19, 1969, at 7:00 p.m. in the Edina Villago Hall, 4801 W. 50th Street, and will at cold time and place consider the proposed vacation of the following described case-must:

The Northeasterly ten (10) feet of Lot 10, Black 2, "Valley View Keights", according to the recorded plat thereof on file in the office of the Register of Titles in and for Hennepin County, Michaelota.

All objections and recommendations will be board at said Masting. By ORDER OF THE EDIMA VILLAGE COUNCIL.

> PLORENGE B. HALLBERG Village Glerk

Please publish in the Edina Sun on May 1 and 8, 1969. Please send us two Affidavits of Publication. Please send us ten clippings.

#### VILLAGE OF EDINA 4801 W. SOTH STREET EDINA, MINNESOTA 55424

#### NOTICE OF PUBLIC HEARING ON BASEMENT VACATION

EDINA VILLAGE COUNCIL will most Manday, May 19, 1969, at 7:00 p.m. in the Edina Village Eall, 4801 W. 50th Street, and vill at cold time and place consider the proposed vacation of the following described encoment:

The Northessterly ten (10) feet of Lot 10, Black 2, "Valley View Heights", according to the recorded plat thereof on file in the office of the Register of Titles in and for Henzepla County, Missessta.

All objections and recommendations will be board at said Macting.

BY ORDER OF THE EDIPA VILLAGE COURSIL.

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PLORENGE B. MALLBERG Village Clerk

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STATE OF MINNESOTA ) COUNTY OF HENNEPIN ) SS. VILLAGE OF EDINA )	CERTIFICATE OF MAILING NOTICE
Village of Edina, Minnesota, hereby May 2, 19 69 in the United States mail copies of	, acting on behalf of said Village I deposited the attached
addressed to the persons at the addressed to the original hereof, who being those appearing on the records property listed opposite their respersion to the date of the hearing; as	elopes, with postage thereon duly prepaid, resses as shown on the mailing list (Exhibit B) ich list is on file in my office, said persons of the County Auditor as owners of the ective names, as of a date 14 days and that I also sent said notice to the following asses whose property is exempt from taxation
<u>Name</u>	<u>Address</u>
·	
WITNESS my hand and the seal of	of said Village this 2nd day of

Maurice B. Haciae

Mailing List - Notice of Public Hearing - Easement Vacation Lot 10, Block 2, Valley View Heights

Lot 10, Block 2, Valley View Heights Donald L. Berg 5900 Hansen Rd.

> W. R. Martin Route 4, Box 82 Excelsior, Minn.

Northern States Power Minneapolis Gas Company N. W. Bell Telephone Co.

#### VIIIAGE OF EDINA 4802 V. 50TH STREET EDINA, MENTESOTA 55424

## COTICE OF PUBLIC BEAUTIES ON EASEMENT VACATION

EDINA VILLAGE COUNTIL will meet Monday, May 19, 1969, at 7:00 p.m. in the Edina Village Hall, 4801 W. 50th Street, and vill at said time and place consider the proposed vacation of the following described casesment:

The Northeasterly ten (10) feet of let 10, Bleck 2, "Valley View Heights", according to the recorded plat thereof on file in the office of the Register of Titles in and for Hennepin County, Missesota.

All objections and recommendations will be heard at said Meeting. BY ORDER OF THE EDINA VILLAGE COUNCIL.

American Street

Moderce B. Hallberg Village Clerk

STATE OF MINNESOTA ) COUNTY OF HENNEPIN ) VILLAGE OF EDINA )	SS	CERTIFICATE OF POSTING NOTICE
of Edina, County of H have, this date, post NOTICE OF EAS	aly appointed and acting Police Patrolm Hennepin, State of Minnesota, do hereby Sed Copies of the attached and foregoin SEMENT VACATION	certify that I
on three official Vil	llage Bulletin Boards, as follows: 1. 2. 50th and France Business Area (3	
Dated <u>5-2-6</u>	9 Signed William Police	Decrolman Coll
Signed and sworn to hin and for Hennepin C	efore me, a Notary Public County, Minnesota, this, the	
	B Malleral	

FLORENCE B. HATLBERG Notary Public, Hennepin County, Minn. My Commission Expires Dec. 31, 1971 VILLAGE OF EDINA 4801 V. 50TN STREET EDINA, MINNESOTA 55424

#### NOTICE OF PUBLIC HEARING ON EASEMENT VACATION

EDINA VILLAGE COUNCIL will most Monday, May 19, 1969, at 7:00 p.m. in the Edina Village Hall, 4801 W. 50th Street, and will at said time and place consider the proposed vacation of the following described easesment:

The Northeastorly ten (10) feet of Let 10, Block 2, "Valley View Keights", according to the recorded plat thereof on file in the office of the Register of Titles in and for Henrepia County, Misnecota.

All objections and recommendations will be heard at said Maeting. BY ORDER OF THE EDINA VILLAGE COUNCIL.

> VACABLE B. HALLBERG VALLAGE Clerk

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VEOSMANIA CVAZOE 92955 SCHEENS REDS "M TORY ALESTEE OS ESSEV

#### EDIJAHNA ZERRESVE MO COLICE OF PUBLIC WASHING

:3803 pares consider the prepared vectories of the Koldwing decreabed easethe Edina Village Eall, 4801 W. 50th Street, and will at ontd then and EDILM VIELER COURTL VILL COOR CORECT, MAY 19, 1959, Ot 7:00 p.cs. in

Titles in and for Hemspir County, Phrascotn. speciel of the the extree of the region of "Valloy View Reighto", according to the recorded plat The Vorchendresly sea (10) feet of her 10, Bleek 2,

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DA OMBEU OS LIE EDIAV AINTER CONCILO

Vallego Glerk PROBLEME B. MALLERENC

69-9-5

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FLORENCE B. HALLBERG Village Clerk (May I, 8, 1969)—EC-2A-10C easement:

The Vorthessterly ten (10) feet of Lot 10, and the office of the Register of Titles in and for Henneyn County, Minnesota, in and for Henneyn County, Minnesota, and for Henneyn County, Minnesota, and the vorthess of the Register of Titles in and for Henneyn County, Minnesota, in and for Henneyn County, Minnesota, in and for Henneyn County, Minnesota, and the vorthess of the Maribert of Titles essement:

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#### NORTHERN STATES POWER COMPANY

1518 Chestnut Avenue Minneapolis, Minnesota 55403

May 8, 1969

Florence B. Hallberg Village Clerk Village of Edina 4801 West 50th Street Edina, Minnesota 55424

Dear Mrs. Hallberg:

This is to acknowledge receipt of a notice of public hearing on the proposed vacation of a portion of a utility easement, which easement is described as follows:

The Northeasterly ten (10) feet of Lot 10, Block 2, "Valley View Heights", according to the recorded plat thereof on file in the office of the Register of Titles in and for Hennepin County, Minnesota.

Please be advised that we have no objection to this vacation.

Thank you for your consideration in this matter.

Yours truly,

E. P. Robertson
Distribution Superintendent
Minneapolis Division

Sr. Right of Way Agent

EPR:GCL:ao

## SUN NEWSPAPERS AFFIDAVIT OF PUBLICATION

# Edina Sun

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota **County of Hennepin** 

SS.

W. JOHN BERTRAM, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed NOTICE OF PUBLIC HEARING hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for ....... successive weeks; that it was first so published on Thurs. the 1 day of May 19 69 and was thereafter printed and published on every ...... to and including

Thurs • the ... 8 day of May 1969 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopgrstuvy

Subscribed and sworn to before me this ....

(Notarial Seal)

asement:

The Northeasterly ten (10) feet of Lot 10.

Block 2, "Valley View Heights," according to the recorded plat thereof on file in the office of the Register of Titles in and for Hennepin County, Minnesota. All objections and recommendations will be objective that the commendations will be contact the commendations. d Meeting.
OF THE EDINA VILLAGE

FLORENCE B. HALLBERG Village Clerk (May 1, 8, 1969)—EC-2A-10C

NA VILLAGE COUNCIL will meet ay, May 19, 1959, at 7:00 p.m. in the village Hall, 4901 W. 50th Street, and at said time and place consider the sed vacation of the following described tent:

easement:

The Northeasterly ten (10) feet of Lot 10,
Block 2, "Valley View Heights," according to the recorded plat thereof on file
in the office of the Register of Titles
in and for Hennepin County, Minnesota.
All objections and recommendations will
be heard at said Meeting.
BY ORDER OF THE EDINA VILLAGE
COUNCIL.

FLORENCE B. HALLBERG Village Clerk
(May 1, 8, 1969)—EC-2A-10C

My Commission Expires November 8, 1971

# SUN NEWSPAPERS AFFIDAVIT OF PUBLICATION

## # EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

at said Meeting.
ER OF THE EDINA VILLAGE
FLORENCE B. HALLBERG
VIllage Clerk
(May 1, 8, 1969)—EC-2A-10C

State of Minnesota County of Hennepin

SS.

W. JOHN BERTRAM, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper fles a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by

He further states on oath that the printed NOTICE OF PUBLIC HEARING hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for 2 successive weeks; that it was first so published on Thurs. the 1 day of May 1969 and was thereafter printed and published on every Thurs. to and including the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

\*\*Additional Composition of Said Notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice, to with the size and kind of type used in the composition and publication of said notice.

My Commission Expires November 8, 1971

(Notarial Seal)

DRH 9/19/61

ATTEST

DONALD C. BENNYHOFF,

OLDERGISTRATE OF TITLES

DEPUTY

672359

Donaid Berg 5900 Hansen Rd

#### EASEMENT FOR STORM SEWER

THIS IN	STRUMENT, Made this
by and between	Medical and Reddy, a co-pertuorable
	, of the County of Hennepin and State of Minnesota,
party of the	first part, and the Village of Edina, a municipal corporation
organized under	the laws of the State of Minnesota, party of the second
part:	•

witnesseth, That the said part of the first part, in consideration of One and no/100 Dollars (\$1.00), to in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, dogg Quit Claim Grant, Bargain, Sell, Convey and Warrant to said party of the second part an Easement in perpetuity for storm sewer purposes, including the right to enter for the purpose of constructing, maintaining, altering, repairing and reconstructing a storm sewer in and over the following described property situate in the County of Hennepin and State of Minnesota, to-wit:

The Northwesterly Ten (10) stat of Let 10, Block 2, "Valley View Heights", necessing to the recorded plat thereof on this in the office of the Registrer of Titles in and for Hemopia County, Minispets; and

The Scutheasterly Ten (10) feet of Lot 11, Block 2, "Valley View Helghts", according to the recorded plat thereof on file in the office of the Registrar of Fittles in and for Hernegin County, Imagests; and

A strip of lend Ten (10) feet in width lying across Lot 9, Block 2, "Valley View Heights", according to the recorded plat thereof on file in the office of the Registers of Fittes in and for Hermopin County, Himosota, the Southeasterly line of which is described as follows: Commencing at the Hertheast corner of said Lot 9; thence running Southwesterly to a point on the Countresterly line of said Lot 9 which is also the most Hertherly corner of Lot 10, Block 2, said "Valley View Heights" and there terminating.

It is the intention and agreement of the Parties hereto that the party of the second part shall in the construction, or maintenance of said

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WEST FIFTIETH STREET . EDINA, MINNESOTA 55424

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THE RESERVE OF THE PROPERTY OF

Michigan d. 2000 May 200.

**建国际企业公司** 

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The transfer of the contract of